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CESAR CASTRO

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
CESAR CASTRO,  
  
Defendant.

CASE NO. 1:21-cr-00181-DAD-BAM  
  
STIPULATION REGARDING CONTINUANCE OF  
STATUS CONFERENCE; FINDINGS AND  
ORDER  
  
DATE: October 13, 2021  
TIME: 1:00 p.m.  
COURT: Hon. Barbara A. McAuliffe

**STIPULATION**

The parties, through their respective counsel, Katherine Schuh, Assistant United States Attorney, counsel for the government, and Benjamin A. Gerson, Assistant Federal Defender, counsel for the defendant, Cesar Castro, hereby stipulate as follows:

1. On July 9, 2021 the defendant was arraigned before this Court and ordered detained.
2. This matter was previously set for a status conference hearing before this Court on September 8, 2021 and time was excluded under the Speedy Trial Act until September 8, 2021.
3. By stipulation, both parties agreed to continue this matter was continued to October 13, 2021.
4. By this stipulation, both parties now move to continue the status conference hearing until January 22, 2022 at 1:00 p.m.

5. The parties agree and stipulate, and request that the Court find the following:

a) The parties stipulate that the delay is required to allow the defense reasonable time for preparation and review of discovery, and for the government's continuing investigation of the case. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

b) The requested date is a mutually agreeable date for both parties.

c) The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 13, 2021 to January 22, 2022 at 1:00 p.m, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161 (h)(1)G), 3161(h)(7)(A), and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

d) Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

HEATHER WILLIAMS  
Federal Defender

Dated: October 6, 2021

/s/ Benjamin Gerson  
Benjamin Gerson  
Counsel for Defendant  
CESAR CASTRO

1 Dated: October 6, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

2  
3 /s/ Katherine Schuh  
Katherine Schuh  
Assistant United States Attorney

4  
5 **FINDINGS AND ORDER**

6 At the request of the parties, the October 13, 2021 status conference hearing in the above case is  
7 CONTINUED until **January 12, 2022 at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.**  
8 For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which  
9 trial must commence, the time period of October 13, 2021 through January 12, 2022, inclusive, is  
10 deemed excludable pursuant to 18 U.S.C. §§ 3161 (h)(1)G), 3161(h)(7)(A), and 3161(h)(7)(B)(i) and  
11 (iv).

12 IT IS SO ORDERED.

13  
14 Dated: **October 7, 2021**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE